

1 Guido Saveri  
R. Alexander Saveri  
2 Geoffrey C. Rushing  
Cadio Zirpoli  
3 **SAVERI & SAVERI, INC.**  
111 Pine Street, Suite 1700  
4 San Francisco, CA 94111  
Telephone: 415-217-6810  
5 Fax: 415-217-6813

6 Attorneys for Plaintiff AAA Egg Farm

7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 AAA EGG Farm, on its own behalf and on behalf of all  
11 others similarly situated,

12 Plaintiff,

13 v.

14 GENERAL MOTORS CORPORATION; GENERAL  
MOTORS OF CANADA, LTD.; FORD MOTOR  
15 COMPANY; FORD MOTOR COMPANY OF  
CANADA, LTD.; TOYOTA MOTOR CORPORATION;  
16 TOYOTA MOTOR SALES, U.S.A., INC.; TOYOTA  
CANADA, INC.; HONDA MOTOR COMPANY, LTD.;  
17 AMERICAN HONDA MOTOR COMPANY, INC.;  
HONDA CANADA, INC.; DAIMLERCHRYSLER  
18 AKTIENGESELLSCHAFT; DAIMLERCHRYSLER  
CANADA, INC.; MERCEDES-BENZ CANADA, INC.;  
19 NISSAN MOTOR COMPANY, LTD.; NISSAN NORTH  
AMERICA, INC.; NISSAN CANADA, INC.; BMW OF  
20 NORTH AMERICA, INC.; BMW CANADA;  
NATIONAL AUTOMOBILE DEALERS  
21 ASSOCIATION; and CANADIAN AUTOMOBILE  
DEALERS ASSOCIATION,

22  
23 Defendants.  
24  
25

Case No. C 03-0946

**STIPULATION AND  
[PROPOSED] ORDER  
EXTENDING TIME FOR  
DEFENDANTS TO RESPOND  
TO COMPLAINT**

26 WHEREAS, on or about March 3, 2003, Plaintiff filed the class action complaint in this  
27 action (the "Complaint"), and;  
28

STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANTS TO RESPOND  
TO COMPLAINT

1 WHEREAS, on or about March 10, 2003, plaintiffs in related actions filed a motion for  
2 transfer, coordination and consolidation of related actions pursuant to 28 U.S.C. §1407 before the  
3 Judicial Panel on Multidistrict Litigation ("MDL Panel") requesting that this action be transferred to  
4 the MDL Panel and coordinated and consolidated with similar actions pending in federal district  
5 courts around the nation, and;

6 WHEREAS, Defendants signing below have been served with the Complaint, and;

7 WHEREAS, nothing in this stipulation shall be deemed to waive or impact any defense of a  
8 party; and

9 WHEREAS, Defendants' time to answer or otherwise respond to the Complaint very likely  
10 will arrive before a decision by the MDL Panel regarding transfer, coordination and consolidation,  
11 and;

12 WHEREAS, Defendants signing below have requested that Plaintiff agree to an extension of  
13 time in which all Defendants shall be required to answer or otherwise respond to the Complaint, and;

14 WHEREAS, Plaintiff do not object to the granting of an extension of time for Defendants to  
15 answer or otherwise respond to the Complaint,

16 THEREFORE, IT IS STIPULATED AND AGREED, PENDING APPROVAL OF THIS  
17 COURT, that Defendants signing below, as well as any other defendants served in this case, shall  
18 have 120 days from receipt of service of the Complaint or, alternatively, 21 days from the date on  
19 which the cases are consolidated, to answer or otherwise respond to the Complaint, whichever is  
20 longer.

21 DATED: March 26, 2003

SAVERI & SAVERI, INC.

22 By:   
23 Guido Saveri

24 R. Alexander Saveri  
25 Geoffrey C. Rushing  
26 Cadio Zirpoli  
27 111 Pine Street, Suite 1700  
28 San Francisco, CA 94111-3600  
Telephone: 415-217-6810  
Fax: 415-217-6813

Counsel for Plaintiff AAA Egg Farm

1  
2 DATED: March 26, 2003

**BINGHAM MCCUTCHEN LLP**

By: Daniel L. Goldberg // w/ commission  
Daniel L. Goldberg

150 Federal Street  
Boston, MA 02110  
Telephone: 617-951-8000

Counsel for Defendant BMW of North America LLC

8 DATED: March \_\_, 2003

**KIRKLAND & ELLIS**

By: \_\_\_\_\_  
David Zott

Robert Ellis  
Richard C. Godfrey  
200 East Randolph Drive  
Chicago, Illinois 60601

Counsel for Defendant General Motors Corp.

15 DATED: March \_\_, 2003

**KEKER & VAN NEST, L.L.P.**

By: \_\_\_\_\_  
Robert A. Van Nest

710 Sansome Street  
San Francisco, California 94111

Counsel for Defendant American Honda Motor  
Company, Inc.

22 DATED: March \_\_, 2003

**CLEARY, GOTTlieb, STEEN & HAMILTON**

By: \_\_\_\_\_  
Michael R. Lazerwitz

2000 Pennsylvania Avenue, N.W., Suite 9000  
Washington, District of Columbia 20006

Counsel for Defendant Toyota Motor Sales,  
U.S.A., Inc.

**BINGHAM MCCUTCHEN LLP**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
Daniel L. Goldberg

150 Federal Street  
Boston, MA 02110  
Telephone: 617-951-8000

Counsel for Defendant BMW of North America LLC

**KIRKLAND & ELLIS**

DATED: March 26, 2003

By: David Zott  
David Zott

Robert Ellis  
Richard C. Godfrey  
200 East Randolph Drive  
Chicago, Illinois 60601

Counsel for Defendant General Motors Corp.

**KEKER & VAN NEST, L.L.P.**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
Robert A. Van Nest

710 Sansome Street  
San Francisco, California 94111

Counsel for Defendant American Honda Motor  
Company, Inc.

**CLEARY, GOTTlieb, STEEN & HAMILTON**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
Michael R. Lazerwitz

2000 Pennsylvania Avenue, N.W., Suite 9000  
Washington, District of Columbia 20006

Counsel for Defendant Toyota Motor Sales,  
U.S.A., Inc.

**BINGHAM MCCUTCHEN LLP**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
Daniel L. Goldberg

150 Federal Street  
Boston, MA 02110  
Telephone: 617-951-8000

Counsel for Defendant BMW of North America LLC

**KIRKLAND & ELLIS**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
David Zott

Robert Ellis  
Richard C. Godfrey  
200 East Randolph Drive  
Chicago, Illinois 60601

Counsel for Defendant General Motors Corp.

**KEKER & VAN NEST, L.L.P.**

DATED: March 26, 2003

By: \_\_\_\_\_  
Robert A. Van Nest / KATH TANG

710 Sansome Street  
San Francisco, California 94111

Counsel for Defendant American Honda Motor  
Company, Inc.

**CLEARY, GOTTlieb, STEEN & HAMILTON**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
Michael R. Lazerwitz

2000 Pennsylvania Avenue, N.W., Suite 9000  
Washington, District of Columbia 20006

Counsel for Defendant Toyota Motor Sales,  
U.S.A., Inc.

**BINGHAM MCCUTCHEN LLP**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
Daniel L. Goldberg

150 Federal Street  
Boston, MA 02110  
Telephone: 617-951-8000

Counsel for Defendant BMW of North America LLC

**KIRKLAND & ELLIS**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
David Zott

Robert Ellis  
Richard C. Godfrey  
200 East Randolph Drive  
Chicago, Illinois 60601

Counsel for Defendant General Motors Corp.

**KEKER & VAN NEST, L.L.P.**

DATED: March \_\_, 2003

By: \_\_\_\_\_  
Robert A. Van Nest

710 Sansome Street  
San Francisco, California 94111

Counsel for Defendant American Honda Motor  
Company, Inc.

**CLEARY, GOTTlieb, STEEN & HAMILTON**

DATED: March 26, 2003

By: Michael R. Lazerwitz / MSW  
Michael R. Lazerwitz

2000 Pennsylvania Avenue, N.W., Suite 9000  
Washington, District of Columbia 20006

Counsel for Defendant Toyota Motor Sales,  
U.S.A., Inc.

**HOWREY SIMON ARNOLD & WHITE, LLP**

DATED: March \_\_, 2003

By: Margaret M. Zwisler w/ permission  
Margaret M. Zwisler *MSA*

1299 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Counsel for Defendant Ford Motor Company

**GIBSON, DUNN & CRUTCHER LLP**

DATED: March 26, 2003

By: Robert E. Cooper w/ permission *RC*  
Robert E. Cooper

333 South Grand Avenue  
Los Angeles, CA 90071

Counsel for Defendant Nissan North America, Inc.

**ORDER**

The Court having considered the facts presented above and the relief requested, and good cause appearing therefore, it is ORDERED that Defendants signing this Stipulation And [Proposed] Order Extending Time For Defendants To Respond To Complaint, as well as any other defendants served in this case, shall have 120 days from receipt of service of the Complaint or, alternatively, 21 days from the date on which the cases are consolidated, to answer or otherwise respond to the Complaint, whichever is longer.

March \_\_, 2003

\_\_\_\_\_  
United States District Court Judge

**CERTIFICATE OF SERVICE**

I, John Webb, declare that I am over the age of 18 years and not a party to this action. My business address is 111 Pine Street, San Francisco, CA 94111. On March 26, 2003, I served the within **STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT** on the following:

Glenn A. Mitchell  
STEIN, MITCHELL & MEZINES  
1100 Conn. Ave., Suite 1100  
Washington, DC 20036

Daniel L. Goldberg  
BINGHAM MCCUTCHEEN LLP  
150 Federal Street  
Boston, MA 02110

Robert Ellis  
Richard C. Godfrey  
David Zott  
KIRKLAND & ELLIS  
200 East Randolph Drive  
Chicago, IL 60601

Ragesh Tangri  
KEKER & VAN NEST, L.L.P.  
710 Sansome Street  
San Francisco, CA 94111

Michael R. Lazerwitz  
CLEARY, GOTTLIEB, STEEN & HAMILTON  
2000 Pennsylvania Ave., N.W., Suite 9000  
Washington, DC 20006

Margaret M. Zwisler  
BOWREY SIMON ARNOLD & WHITE, LLP  
1299 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Robert E. Cooper  
GIBSON DUNN & CRUTCHER LLP  
333 South Grand Avenue  
Los Angeles, CA 90071

by placing same in sealed envelopes, addressed as shown above, affixing proper first class postage, and depositing them in the United States Mail at San Francisco, California.

*I declare under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct*

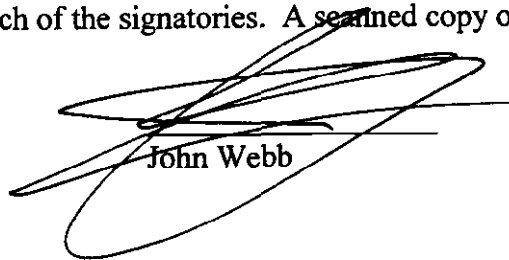
Executed at San Francisco, California, on March 26, 2003

**STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANTS TO RESPOND TO COMPLAINT**



**CERTIFICATION OF SIGNATURES PURSUANT TO GENERAL ORDER NO. 45**

Pursuant to General Order No. 45, I, John Webb, hereby certify that concurrence in the filing of this document has been obtained from each of the signatories. A scanned copy of the executed signature pages is attached.

  
John Webb